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from a bottle, may recover from the manufacturer for injuries sustained in consequence.

One who, under the circumstances stated in the preceding head-note, swallows several pieces of glass, which are subsequently removed from his stomach, leaving apparently no permanent injuries, may recover on account of mental suffering caused by the fear of death while the glass was in his stomach; but a vague fear, after the removal of the glass and he has been restored to health, that at some time in the future he may again suffer as a result of his injuries, cannot be made an element of damage in a suit against the manufacturer of the beverage."

Negligence—Electricity—Injury to Children—Proximate Cause.

In Stark *v.* Muskegon Traction and Lighting Company, decided by the Supreme Court of Michigan in October, 1905 (104 N. W. 1101), it appeared that electric light wires were suspended only 19 feet above the ground, whereas the city ordinance required them to be suspended 25 feet above the ground. There was also evidence of their defective insulation. Plaintiff, a boy 10 years of age, was playing with other children on the ground beneath the wires, when a telephone wire, strung on the same post with the light wires, became broken and was thrown by one of the children over the light wires, where it came in contact with defective insulation. Plaintiff took hold of the telephone wire in order to experience the shock which another boy had received and to show his valor, and was injured. It was held that neither the defective insulation nor the distance of the wires from the ground was the proximate cause of the injury to plaintiff, but such injury was the result of his own wrongful interference with the wires.

Right to Fish—Regulation—Seizure and Sale of Illegal Fish Nets—Due Process of Law.--In Daniels *v.* Homer, decided by the Supreme Court of North Carolina in October, 1905 (51 S. E. 992), it was held that the right to fish in the inland waters of the state and extending for a marine league out to sea is absolutely subject to the regulations of the Legislature, and is not an individual or property right.

Vendor and Vendee—Rescission of Contract—Misdescription of Property.--In Davis *v.* Scher, decided by the Supreme Court of New Jersey in November, 1905 (62 Atl. 193), it was held that a statement of the number of rooms in a building in Newark contained in a written contract for sale of real estate is so material that its falsity will justify the vendee in rescinding the contract, although the vendor may be able to make the building answer the description before the day for performance.